

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-7 are currently pending in this application, and Claims 1 and 3-7 are presently amended.

In the outstanding Office Action, Claims 1, 3, and 4 were objected to; Claim 5 was rejected under 35 U.S.C. §112, second paragraph; and Claims 6 and 7 were objected to for depending from a rejected base claim. Claims 1-4 were allowed and Claims 5-7 were indicated as containing allowable subject matter.

Applicants appreciate the identification of allowable subject matter.

In response to the rejection of Claim 5 under 35 U.S.C. §112, Claim 5 is amended, without adding new matter, to address the deficiencies identified in the outstanding Office Action.

In particular, Claim 5 is amended to change “detected in the first RAKE-combination signal detecting step” to “detected in the detecting step.” Support for this amendment is found in the Specification at page 36, line 23 to page 37 line 3, for example, and therefore, Applicant submits that no new matter is added. Claim 5 is also amended to change “the calculated deviation” to “a calculated deviation.”

Therefore, Applicants respectfully submit that amended Claim 5 complies with the requirements of 35 U.S.C. §112 and is in condition for allowance.

Claim 1 was objected to for reciting “RAKE-combines the signal inverse-spread by said inverse-spread units.” Claim 1 is amended to recite “RAKE-combines respective signals that are inverse-spread by said plurality of inverse-spread units.” Support for this amendment is found in the specification on page 36, lines 1-5, for example, and therefore, no new matter

is added. Claim 1, as well as the other amended claims, contain various non-limiting amendments made to make the claim language more idiomatically correct.

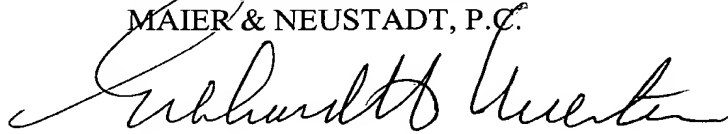
Claims 1, 3, and 4 were objected to for reciting "said profile producing unit." In reply, Claims 1, 3, and 4 are amended to change "said profile producing unit" to "said profile generation unit." Support for "said profile generation unit" can be found in original Claim 1, for example, and therefore, no new matter is added. Applicant respectfully submits that the objections to Claims 1, 3, and 4 are overcome.

Claims 1 and 3-7 are further amended to correct minor informalities. These amendments are cosmetic in nature, do not add new matter, and do not require a new search. Furthermore, it should be noted that the language Claims 1-7, as amended, do not involve an interpretation under 35 U.S.C. §112, sixth paragraph.

Consequently, in view of the above amendments and comments, it is respectfully submitted that the outstanding rejection is traversed and that the pending claims are in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters  
Attorney of Record  
Registration No. 28,870

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)

I:\ATTY\JW\210099US\210099US\_AM.DOC